

PUNJAB LAWS (EXTENSION NO. 9) ACT, 1960

THE PUNJAB LAWS (EXTENSION No. 9) ACT, 1960 817 THE PUNJAB LAWS (EXTENSION No. 9) ACT, 1960 (PUNJAB ACT No. 43 OF 1960) [Received the assent of the President on the 18th December, 1960 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 30th December, 1960,] AN ACT to provide for the extension of certain laws to the which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union. BE it enacted by the Legislature of the State of Punjab in the Eleventh Year Of the Republic Of India as follows:— (1) This Act may be called the Punjab Laws (Extension NO. 9) Act, 1960. (2) It shall come into force at Once

2. In this Act- (a) "Schedule" means a Schedule appended to this Act, "transferred territories" means the territories which, immediately before the 1st November, 1956, were comprised in the State Of Patiala and East Punjab States Union. 3 The Punjab General Clauses Act, 1898, shall apply for the interpretation of this Act as it applies for the interpretation Of a Punjab Act. For statement of objects and reasons, see Punjab Government Gazette' (Extraordinary) 1960, page 2010. Short title and commencement. Definitions. Interpretation. {818 THE LAWS (EXTENSION No. 9) ACT, 1960 4. All the enactments, as amended from time to time, specified in Schedule I and so much of the enactment, as amended from time to time, specified in Schedule II as extends to the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab and relates to matters with respect to which the State Legislature has Power to make laws for a State, and all rules, regulations, notifications, orders and by-laws made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act in the said territories are hereby extended to, and shall be in force in, the transferred territories. 5, In the enactments, or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, as referred to in section 4, any reference— (1) to a law which is not in force in the transferred territories shall in relation to such territories, be construed as a reference to the corresponding law, if any, in force in such territories, and (2) to the State of Punjab, by whatever form of words, shall be construed as including a reference to the transferred territories. 6 If immediately before the commencement of this Act, there is in force in the transferred territories any law corresponding to any of the enactments or rules, regulations, notifications, Orders and by-laws made, and directions or instructions issued, thereunder, extended to those territories by section 4, that law, including the enactments specified in Schedule I shall on the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed Provided that such repeal shall not affect— THE PUNJAB LAWS (EXTENSION No. 9) Act, 1960 819 (b) or (c) (d) the previous operation of any law so repealed or anything duly done or suffered thereunder; or any right, Privilege, Obligation or liability acquired or incurred under any law so repealed; or any Penalty, forfeiture or Punishment incurred in respect of any Offence committed against any law so repealed; or any investigation, legal proceeding or remedy in respect Of any such right Privilege, liability, Obligation, Penalty, forfeiture or Punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed : Provided further that anything done or any action taken under any law so repealed shall be deemed to have been done or taken under the corresponding Provision of the enactment extended by section 4 to the transferred territories, and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under the enactment so extended

7. For Purposes of facilitating the application in the transferred territories of any enactment specified in Schedule I or Schedule II or of any rule, regulation, notification, order, by-law, direction or instruction referred to in section 4, any court or other authority may construe the same with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority. Powers of Courts and other authorities for purposes of facilitating application of the enactments specified in Schedules I or II or rules, etc. 820 THE PUNJAB LAWS (EXTENSION No. 9) ACT, 1960 Power to make rules, etc., not to be affected. Power to remove difficulties

8. Nothing contained in this Act shall affect the power Of the State Government or of any Officer Or authority, exercisable under the enact" ment, specified in Schedules I and 11, to add to, amend, vary or rescind the rules, regulations, notifi- cations, orders and by-laws made, and directions or instructions issued, as extended bY section 4 to the transferred territ0ries

9. If any difficulty arises in giving effect in the transferred territories to the Provisi0ns of any enactment specified in Schedule I or Schedule 11, the State Government may, bY order notified in the Official Gazette, make such Provisions or givve such direction as aPpear to it to be necessary Or exPedient, for the removal of the difficulty.THE PUNJAB LAWS (EXTENSION No. 9) ACT, 1960 SCHEDULE 1 EXTENSION OF PUNJAB ACTS (See Section 4) 821 Serial No. 1 1 2 3 Serial No 1 1 Year 2 1920 1920 1949 Year 2 1887 Number of Act 3 (1 of 1920) (11 of 1920) (XXIX of 1949) Short 4 title The Punjab Limitation (Custom) Act 1920. The Punjab Custom (Power to Contest) Act, 1920. The East Punjab Children Act, 1949. SCHEDULE 11 EXTENSIONS OF CENTRAL ACT (See section 4) Number of Act Short title 4 3 (VII of 1887) The Suits Valuation Act. 1887 as amended by Punjab Acts No. 1 of 1938 and No. of 822 Serial No. 1 2 3 THE PUNJAB LAWS (EXTENSION 9) Year 2 2000 Bk. 2005 Bk. ACT, 1960 SCHEDULE 111 REPEAL (See sec tion 6) Number of Act 3 (ix of 2000 Bk.) (X of 2000 Bk.) (X of 2005 Bk.) Short title 4 The Patiala customs (Power to Contest) Act, 2000 Bk. The Patiala Limitation (Custom) Act , 2000 Bk. Sections 95, 96, 97, 98 and 99 of the Pepsu Judicature Ordinance, 2005 Bk.

